

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

RODNEY RIOS,)	
)	
Plaintiff,)	
)	
v.)	CIV-24-679-R
)	
LE MONDE INTERNATIONAL SCHOOL,)	
)	
Defendants.)	
)	

ORDER

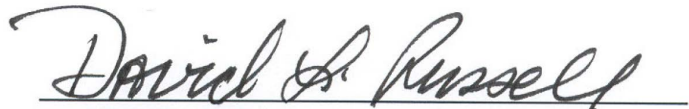
The Court previously directed Plaintiff to show cause why this action should not be dismissed for failure to timely serve Defendant as required by Fed. R. Civ. P. 4 [Doc. No. 12]. Plaintiff, who is proceeding pro se, filed a response indicating that he wishes to proceed with the lawsuit and suggesting that the Clerk of Court is responsible for notifying Defendant that the lawsuit has been timely filed.

Federal Rule of Civil Procedure 4(m) provides that the court must dismiss an action without prejudice if a defendant is not served within 90 days after the complaint is filed. However, Rule 4(m) also provides for a mandatory extension of time if the plaintiff shows “good cause” for the failure to timely serve a defendant. *Espinoza v. United States*, 52 F.3d 838, 841 (10th Cir.1995). To rely on the good cause provision, a plaintiff “must show meticulous efforts to comply with the rule.” *In re Kirkland*, 86 F.3d 172, 176 (10th Cir. 1996). If a plaintiff fails to show good cause, a district court may nevertheless grant a permissive extension of time to complete service. *Espinoza*, 52 F.3d 842.

After considering Plaintiff's response to the show cause order, and in light of his pro se status, the Court finds that a permissive extension of the service deadline is warranted. *Id.* at 842.

Accordingly, the Court grants Plaintiff 30 days from the date of this Order to complete proper service on the defendant and to file proof of service with the Court. Plaintiff is advised that a failure to complete proper service within this time limit will result in dismissal of this action without prejudice. Plaintiff is further advised that pursuant to Federal Rule of Civil Procedure 4(c)(1), "[t]he plaintiff is responsible for having the summons and complaint served within the time allowed by Rule 4(m) and must furnish the necessary copies to the person who makes service."

IT IS SO ORDERED this 15th day of November, 2024.



DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE